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TAGS: [PGOV](#) [PREL](#) [PINR](#) [PHUM](#) [KCOR](#) [VM](#)

SUBJECT: RECENT GVN ANTI-CORRUPTION EFFORTS: SMOKE AND
MIRRORS OR THE BEGINNING OF AN EARNEST EFFORT?

REF: A. HANOI 2134

[B](#). HANOI 2143

[C](#). HANOI 848

[D](#). HANOI 771

[E](#). HANOI 1090

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Classified By: DCM Jon Aloisi per 1.4 (b/d)

[1](#). (C) Summary and Comment: In the wake of several high-profile corruption scandals, the GVN is taking steps, both substantive and symbolic, to address corruption involving government and Communist Party officials. In August, the National Assembly Standing Committee passed a resolution specifying the structure and scope of a newly created Central Steering Committee Against Corruption. The Steering Committee, headed by the Prime Minister, has the authority to suspend officials that are involved in corruption or that hinder the fight against corruption. Also in August, Vietnam's new leadership issued a resolution that will allow law enforcement agencies to initiate corruption investigations and prosecutions of officials without prior approval by the Communist Party. It remains to be seen whether these and other measures, such as a gift ban targeting government officials, will be genuinely effective or are merely window dressing to placate an increasingly disgusted public. In addition to government efforts, our interlocutors said that a stronger role for the press and mass organizations could help uncover corruption and encourage transparency. End Summary and Comment.

New Committee to Crack Down on Corruption...

[2](#). (SBU) On August 28, the National Assembly Standing Committee (NASC) passed a resolution laying out the structure and scope of the Central Steering Committee against Corruption (Steering Committee), to be established in accordance with the Anti-Corruption Law that took effect on June 1, 2006. Prime Minister Nguyen Tan Dung will head the multi-agency Steering Committee, whose members will include the Government's Chief Inspector, Ministers of Public Security and Culture and Information, General Procurator of the Supreme People's Procuracy (SPP), Presiding Judge of the Supreme People's Court (SPC), Vice Chairmen of the Party's Control Commission and Internal Affairs Commission and a Vice Minister of National Defense. Deputy Prime Minister Truong Vinh Trong, also Chairman of the Party's Internal Affairs Commission, will serve as the Deputy Head of the Steering Committee (Ref A). One standing member will be responsible for coordinating the Steering Committee's day-to-day activities, and for supervising the Steering Committee's

Executive Office, a separate and independent institution that will have the status of a ministry.

¶3. (SBU) The resolution empowers the Prime Minister, as head of the Steering Committee, to suspend deputy ministers, other officials of equivalent rank, chairmen of provincial People's Councils and People's Committees and other officials nominated by the Prime Minister, who are allegedly involved in corruption or hinder the fight against corruption. The Prime Minister may also ask agencies and organizations to consider dismissal of any other officials, including but not limited to deputy prime ministers, ministers, chairmen of party commissions, and office directors within the President's Office and the Office of the National Assembly. According to recent public comments by National Assembly (NA) Vice Chairman Nguyen Van Yeu, this provision means there will not be any exceptions as the Steering Committee considers corruption cases that involve high-ranking officials. Yeu noted, however, that the Steering Committee will not mete out punishment for individual cases. It will only provide general guidance and instructions, and will not directly intervene in any specific arrests or prosecutions.

¶4. (SBU) Nguyen Phu Trong, Politburo member and Chairman of the National Assembly, told the press that the Steering Committee will be affiliated with and report to the Communist Party of Vietnam's (CPV) Central Committee and the Politburo.

He confirmed that decisions made by the Prime Minister as Chairman of the Steering Committee to deal with ministers and secretaries and/or chairmen of provincial Party Committees

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and People's Committees will still be subject to approval in advance from the Politburo, the institution responsible for the overall management of top-ranking personnel. The Politburo will also deal with any "abuse of power" by the Steering Committee, which is to operate according to the principle of "centralized democracy," Trong asserted.

...but at Least One Official Begs to Differ

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¶5. (C) Office of the National Assembly (ONA) Deputy Director Dr. Nguyen Sy Dzong told us that the Steering Committee's organization is "wrong in concept." "It is disappointing to many people that officials of the judiciary and procuracy (prosecutor's office) are included on the Steering Committee," he said. The Steering Committee should only serve as an institution of the executive branch, to focus on speeding up investigation of corruption cases. The judicial branch should remain separate and unfettered to make their own judgments regarding prosecutions, he continued. The current make-up of the membership of the Steering Committee will eventually turn it into a consensus-based institution, upon which the Prime Minister, as the head, could easily exercise his influence over other members. Former Prime Minister Vo Van Kiet said publicly that he did not support the idea of having leaders of the People's Procuracy and the Supreme Court on the Steering Committee, but apparently his voice has not been heard, Dr. Dzong claimed.

¶6. (C) However, in a separate meeting, Pham Quoc Anh, Chairman of the Vietnam Lawyers Association and former Director of the President's Office, said that the establishment of the Steering Committee is a "logical and inevitable" step. While corruption has become an extremely serious problem that could threaten the existence of the regime, the establishment of an independent ministry/agency to deal with corrupt officials and corruption cases appears to be impossible given the country's current political structure of Party organizations and GVN offices. He noted, however, that the Steering Committee's Executive Office will have the status of a ministry. Tran Quoc Vuong, currently a deputy director of the Office of the CPV (with the rank of

vice minister), may likely be promoted to become the standing member of the Steering Committee, Anh said.

¶7. (C) According to Anh, the standing member of the Steering Committee will have an extremely important role to play in coordinating multi-agency efforts against corruption, given the fact that all other Standing Committee members apparently will not do Standing Committee work on a full-time basis. He described Deputy Director Vuong as a "capable guy," called NA Chairman Trong a "clean and quite decisive figure despite his relatively low academic background" and claimed that these two officials may help speed up overall anti-corruption efforts.

Anti-Corruption Resolution, Gift Ban

¶8. (C) Earlier in August, the CPV Central Committee released a resolution of the Third Plenum on anti-corruption work (Ref B). The resolution allows law enforcement agencies to investigate and prosecute any official allegedly involved in corruption. Law enforcement agencies will not need approval in advance from the Party committee that supervises the official. According to Le Van Lan, a deputy department director from the Party's Internal Affairs Commission, law enforcement agencies will be more active in pursuing corrupt officials, as they will not have to receive the Party committee's "go-ahead." Concerning other possible specific measures to promote inspections, investigations and prosecutions of corrupt officials, the CPV Central Committee has set guidelines to synchronize the Party's oversight of ranking officials and the Government's inspections against corruption, a formula that has been proven to be "very effective" in China, according to Lan.

¶9. (C) Both Dzung and Anh believe this "leeway" granted to law enforcement agencies may be significant in the fight against corruption. However, Dzung expressed doubt that this resolution, together with the establishment of the Steering Committee, would bring notable progress. Rather, he suggested that these actions should only be seen as public gestures, without a strong political commitment by the new leadership. While some "clean faces" have appeared in the top leadership, namely standing member to the Party Secretariat Truong Tan Sang and State President Nguyen Minh

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Triet, Nong Duc Manh (whose family members were implicated in the recent PMU-18 scandal -- Ref C), retained the top position in the CPV. Not much change is expected among the mid-level positions, Dzung surmised.

¶10. (C) In late August, the Ministry of Finance announced a draft Government decree to prohibit the use of money from the State budget to buy gifts for high-ranking officials. The draft decree also bans Government employees from giving and accepting gifts worth over VND 500,000 (roughly USD 31) in

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value. However, Tran Dai Hung, a vice chairman of the Party's Internal Commission, admitted to us that there is no effective mechanism to control the giving and accepting of gifts by GVN employees. On September 13, the Government Inspectorate conducted a conference to gather comments on a draft decree that would require the declaration of assets and property by a wide-range of elected and appointed officials. "Assets and property" include: real estate; precious metals and stones; money and other assets worth more than VND 50 million (roughly USD 3,100); and, money in bank accounts abroad. Following further comment by officials from the provinces and ministries/branches, this draft decree will be submitted to the National Assembly during its upcoming session.

PM Accelerates Investigations of Key Corruption Cases

¶11. (SBU) On August 30, Prime Minister Dung publicly called on the Ministry of Public Security (MPS) to quickly finalize the ongoing PMU-18 (Refs D and E) investigation involving high-ranking MPS official General Oanh, who was once regarded as "on track" to become a vice minister of public security and Central Committee member. The Prime Minister also asked MPS to speed up an investigation of misconduct by the chief government inspector and his deputy involving a prominent corruption case at the Vietnam Oil and Gas Corporation. On September 11, MPS held a press conference at which ranking MPS officials revealed some information concerning their investigations. They also pledged to make public their conclusion concerning General Oanh's involvement in the PMU-18 case soon.

¶12. (SBU) On September 1, Prime Minister Dung sent an official letter to the General Procurator, the Supreme People's Court Presiding Judge and Deputy Prime Minister Trong asking them to consider re-trying three former ranking officials from the town of Do Son who were allegedly involved in a well-known, land-related corruption case in Haiphong. Earlier, on August 28, the Haiphong City People's Court had ruled that the three officials would be administratively "reprimanded" and fined VND 50,000 (roughly USD 3) each, a decision that aroused extreme public disapproval. Local newspapers reported that the Chairman of the Haiphong People's Committee had separately sent official letters to leaders of the Supreme People's Procuracy and MPS's Investigation Office for a pardon for the three officials. Local media also reported that before the trial took place, the Secretary of the Haiphong Municipal Party Committee met with procurators and judges of the municipal People's Court and instructed them to come up with sentences that were lower than what is prescribed in the Criminal Code. On September 5, the Supreme People's Court and Procuracy responded to the public indignation and jointly announced that a new investigation would be conducted, soon to be followed by a new trial.

"The Press Could Play an Important Role"

¶13. (C) Both Dung and Anh spoke highly of the role of the Vietnamese press at present. Dung said the press and media have become even more courageous and independent in their coverage of corruption-related issues. They have learned how to protect themselves against the influence of and counter-attacks by the Ministry of Culture and Information and the CPV's Commission for Ideological and Cultural Affairs. Given the current high level of public attention, no ranking officials, except for those in the very top positions, can take lightly scrutiny by the press. According to Dung, the only way to make real progress in curbing corruption would be to offer an "amnesty" to officials that would cover all activities prior to a certain date. But since such an amnesty is not possible due to the political sensitivity of such a move, Dung asserted that the best way to detect and fight against corruption at the moment is to help maintain a strong role for the press and media.

¶14. (C) The media remains far from immune to official pressure. At the time public attention was focused on the land-related corruption case in Haiphong, a national TV channel canceled their prime-time broadcast of a report on the case. Later, in response to inquiries from the public, TV officials announced that the cancellation was not made at the request of or due to opposition from the Haiphong People's Committee. A local television journalist said the cancellation was actually made at the request of the Party's Commission for Ideological and Cultural Affairs. One way to strengthen the press in the face of official pressure would

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be to educate members of the media about their role with respect to general anti-corruption efforts, the Vietnam

Lawyers Association's Anh told us. According to him, the media has on occasion appeared to provide misleading information or to be judgmental in its coverage of corruption cases, and avoiding these pitfalls would improve the media's standing in Vietnam.

¶15. (C) Another tool to promote anti-corruption efforts would be to improve the role of mass organizations in detecting corruption cases, especially those at the grassroots level, Anh continued. Vietnam Fatherland Front (VFF) officials confirmed that the VFF is now working on a draft law on "social interaction" which would allow socio-political organizations to become more engaged in the policy-making process and in supervising civil servants, Anh said.

Comment

¶16. (C) Despite highly publicized initiatives to fight corruption, public opinion remains divided on whether the newly-introduced measures can actually work, fueled by reports that corruption is spreading among government employees at all levels. It remains to be seen to what extent high-level Party and government officials are actually willing to clamp down on endemic corruption that has long been a way of life for officials at all levels (Ref D). We agree that the media is a critical element in making progress, provided they are allowed to continue their current work of promoting transparency and public awareness. End

Comment.

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